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Employee Painters' Trust, et al.*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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BOARD OF TRUSTEES OF THE EMPLOYEE
PAINTERS' TRUST; BOARD OF TRUSTEES
OF THE DISTRICT COUNCIL 16
NORTHERN CALIFORNIA JOURNEYMAN
AND APPRENTICE TRAINING TRUST
FUND; BOARD OF TRUSTEES OF THE
INTERNATIONAL PAINTERS AND ALLIED
TRADES INDUSTRY PENSION FUND;
BOARD OF TRUSTEES OF THE PAINTERS
AND ALLIED TRADES LABOR
MANAGEMENT COOPERATION
INITIATIVE; BOARD OF TRUSTEES OF
THE FINISHING TRADES INSTITUTE;
POLITICAL ACTION TOGETHER-
POLITICAL COMMITTEE FUND; STAR
PROGRAM, INC.; HOLIDAY AND
VACATION FUND,

Plaintiffs,

vs.

J. E. SIMAS FLOORS, INC. d/b/a JE SIMAS
FLOORS, a Nevada corporation; JAMES
EDWARD SIMAS, an individual; TAYLOR
SIMAS SAMMS, an individual; KAREN
BETH FLEISCHMANN a/k/a KAREN B.
FLEISCHMAN a/k/a KAREN B.
FLEISHMAN, an individual; AMERICAN
CONTRACTORS INDEMNITY COMPANY,
a California corporation; DOES I-X; ROES I-
X,

Defendants.

CASE NO.: 2:24-cv-00589-APG-MDC

STIPULATION OF DISMISSAL

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STIPULATION OF DISMISSAL

The above-captioned Parties, each acting by and through their undersigned counsel, state the following:

A. BACKGROUND

1. On January 21, 2025, the Parties filed a Joint Request for Judicial Settlement Conference and Stipulation and Order to Stay Proceedings (Fourth Request) [ECF No. 15].

2. On January 22, 2025, the Court entered a Minute Order in Chambers referring the matter to Judge Couvillier for scheduling a settlement conference [ECF No. 16].

3. Also on January 22, 2025, Judge Couvillier entered an Order Setting Mediation, which scheduled the Settlement Conference/Early Neutral Evaluation (“Mediation”) for April 22, 2025 [ECF No. 18].

4. The Mediation was held before Judge Couvillier on April 22, 2025, during which the Parties reached a settlement, and the Parties were ordered to file a proposed Stipulation and Order for Dismissal with 60 Days of the Order [ECF No. 25].

5. The Parties entered into a Settlement Agreement effective April 22, 2025, and the Settlement Payment required thereunder was remitted to Plaintiffs through its counsel on June 19, 2025.

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B. STIPULATION

The Parties respectfully request that this Case be dismissed, with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), each party to bear its own fees and costs except as may be otherwise set forth in the Settlement Agreement.

CHRISTENSEN JAMES & MARTIN, CHTD.

SIERRA CREST BUSINESS LAW GROUP

By: /s/ Kevin B. Archibald

By: /s/ Alison R. Kertis

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Counsel for the Defendants

DATED: June 20, 2025

DATED: June 20, 2025

IT IS SO ORDERED:



UNITED STATES DISTRICT COURT JUDGE

DATED: June 23, 2025

CHRISTENSEN JAMES & MARTIN, CHTD.
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